

Message Text

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41

ACTION L-03

INFO OCT-01 EUR-25 NEA-10 ISO-00 IO-13 DOTE-00 CAB-09

CIAE-00 COME-00 DODE-00 EB-11 INR-10 NSAE-00 RSC-01

FAA-00 AF-10 ARA-16 EA-11 DRC-01 /121 W

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P R 181310Z SEP 73

FM AMEMBASSY ROME

TO SECSTATE WASHDC PRIORITY 0811

INFO AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY MOSCOW

AMCONSUL MONTREAL

USUN NEW YORK 1719

AMEMBASSY BEIRUT

UNCLAS ROME 9711

E.O. 11652: N/A

TAGS: ICAO, ETRN

SUBJ: ICAO AIR SECURITY CONFERENCE: SEVENTEENTH REPORT,
ICAO ASSEMBLY MEETING, SEPT. 17

MONTREAL FOR US REP ICAO

PLS PASS TO: LITTELL/CAB; DRISCOLL/DOT; STEWART/FAA

1. ARGENTINE DELEGATE AS CHAIRMAN OF WORKING GROUP PRESENTED
TO EXECUTIVE COMMITTEE OF ASSEMBLY DRAFT RESOLUTION RELATING
TO INCLUSION IN CHICAGO CONVENTION OF NEW CHAPTER XVI BIS
- SUPPLEMENTARY PROVISIONS TO IMPROVE THE SAFETY OF INTERNATIONAL
CIVIL AVIATION. (TEXT SUBSTANTIALLY SAME AS ROME 9678 EXCEPT
FOR NUMBERING OF ARTICLES AS 79 BIS TO 79 SEXTIES) CHAIRMAN
POINTED OUT PROPOSED ARTICLE 80 IN WP/4 INCLUDED IN SECOND
PREAMBULAR CLAUSE; ARTICLE 81 INCLUDED AS ARTICLE 79 BIS WITH
SLIGHT VARIATIONS TO MAKE IT EASIER TO UNDERSTAND; ARTICLES 82
AND 83 EXPANDED IN ARTICLES 79 QUINQUIES AND SEXTIES IN EFFORT
IMPROVE THEIR CONTENTS;ARTICLE 79 QUATER MERELY ADDS/QTE
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AIRPORTS OR AIR NAVIGATION FACILITIES UNQTE TO FRENCH/UK/SWISS

PROPOSAL RE STATE ACTION AND ARTICLE 79 TER IS CANADIAN PROPOSAL FOR REPORTING TO ICAO COUNCIL INFORMATION CONCERNING UNLAWFUL ACTS CHANGED IN VARIOUS WAYS TO CLARIFY IT AND ALIGN IT WITH HAGUE AND MONTREAL CONVENTIONS. ASSEMBLY PRESIDENT DIALLO SAID WORKING GROUP'S MANDATE EXPANDED WHERE IT SHOULD NOT HAVE BEEN, E.G., DESIRE FOR DOUBLE RATIFICATION NOT CARRIED OUT RE ARTICLE 79 BIS AND TER. HE SUGGESTED LIMITING SPEECHES TO THREE MINUTES. THIS AGREED BY 41-9 VOTE (US NOT VOTING).

2. UK SAID ON SEPT 7 COMMITTEE ACCEPTED PRINCIPLE OF AMENDING ARTICLE 87 OF CHICAGO CONVENTION IN ACCORDANCE WP/3 AND MOVED REOPENING OF DEBATE ON THIS AMENDMENT. AUSTRIA SECONDED AND UK REQUESTED ROLL-CALL VOTE WHICH WAS 24(US)-31-33. SEVERAL ARABS VOTED IN FAVOR AND ISRAEL ABSTAINED.

3. AS RESULT OF PROPOSAL BY ZAIRE NEW FIRST PREAMBULAR PARAGRAPH ADDED TO RESOLUTION AS FOLLOWS: QTE RECALLING THE PERTINENT PROVISIONS OF THE CHARTER OF THE UNITED NATIONS IN PARTICULAR ITS ARTICLE 2, PARA 4 WHICH STATES: QTE ALL MEMBERS SHALL REFRAIN IN THEIR INTERNATIONAL RELATIONS FROM THE THREAT OR USE OF FORCE AGAINST THE TERRITORIAL INTEGRITY OR POLITICAL INDEPENDENCE OF ANY STATE, OR IN ANY OTHER MANNER INCONSISTENT WITH THE PURPOSES OF THE UNITED NATIONS UNQTE. UNQTE VOTE WAS 62-0-2 (US NOT VOTING). USSR SAID IT DID NOT VOTE. ISRAEL SAID IT ABSTAINED.

4. ISRAEL SAID IT THOUGHT PROPOSED ARTICLE 80 WAS TO BECOME AN AMENDMENT TO THE PREAMBLE TO CHICAGO. DIALLO REPLIED NOT IN ORDER UNLESS ISRAEL WANTED TO INITIATE AT PLENARY. USSR SUGGESTED ART 80 BE DELETED AS PREAMBULAR CLAUSE 2, BUT DEFEATED 18-22(US)-21. AFTER VARIOUS SUGGESTIONS HAD BEEN MADE FOR THE REWORDING OF THIS CLAUSE 2, JAPAN PROPOSED CLOSURE OF DEBATE ON PREAMBULAR CLAUSES AND THAT COMMITTEE VOTE ON THEM AS DRAFTED BY WORKING GROUP. DEBATE WAS CLOSED WITH US VOTING IN FAVOR. ON CLAUSE 2 VOTE WAS 56(US)-6-10, ON CLAUSE 3 VOTE WAS 74(US)-0-4 AND ON FINAL CLAUSE 59(US)-1-15. VOTE ON PREAMBULAR PARAGRAPHS AS WHOLE REQUESTED BY KENYA WAS 60(US)-0-16.

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5. CANADA REQUESTED DEBATE ON ARTICLES 79 BIS AND TER BE REOPENED, STATING BIS MORE IMPORTANT THAN TER WHICH CANADA PROPOSED. DIRECTOR OF LEGAL BUREAU SAID NOT POSSIBLE FOR ANY PART OF HAGUE OR MONTREAL TO ENTER INTO FORCE BEFORE THESE TWO CONVENTIONS INCORPORATED. TRINIDAD AND TOBAGO SUPPORTED MOTION FOR REOPENING DEBATE AND SAID TIME FOR PROPOSED ART. 81 ENTERING INTO FORCE TOO IMPORTANT TO BE INTERPRETED AWAY. REOPENING OF DEBATE APPROVED 35(US)-18. FRANCE SAID 79 BIS

RULES APPLY TO 79 QUATER AND IT QUITE READY TO APPROVE.
FAVORABLE VOTE ON 79 BIS WAS 55-0-19(US).

6. CANADA SUPPORTED BY COLOMBIA PROPOSED APPROVAL OF ART 79
TER. DIRECTOR OF LEGAL BUREAU SAID ARTS 11 AND 13 OF HAGUE
AND MONTREAL WERE REPRODUCED IN CHICAGO THERE WAS NEED TO
AWAIT RATIFICATION OF HAGUE AND MONTREAL BY TWO-THIRDS OF
ICAO MEMBERS. FRANCE THEN SUGGESTED QUESTIONS RAISED REGARDING
ART 79 TER BE RAISED SUBSEQUENTLY DURING DISCUSSION ON ARTS
79 QUINQUIES AND SEXTIES AND REQUESTED CLOSURE OF DEBATE
(48(US)-4). ART 79 TER THEN APPROVED 45-6-22(US).

7. FRANCE SUGGESTED CHANGES IN ARTICLES OF HAGUE AND MONTREAL
REFERRED TO IN ARTS 79 QUINQUIES AND SEXTIES. US, SUPPORTED BY
TURKEY, MOVED UNDER RULE 49 THAT COMMISSION VOTE SEPARATELY
ON FIRST CLAUSE OF THESE TWO ARTICLES REQUIRING TWO-TIER
RATIFICATION BEFORE INCORPORATION OF HAGUE AND MONTREAL.
TANZANIA OBJECTED. NO CONCLUSION REACHED ON THIS ARTICLE
BEFORE COMMISSION ADJOURNED FOR DAY.VOLPE

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